



October 11, 2024

VIA ECF

The Honorable Nicholas G. Garaufis
United States District Judge
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Boustani (Chang), Case No. 18-cr-681

Dear Judge Garaufis:

We write on behalf of defendant Manuel Chang regarding his sentencing date. As Your Honor is aware, Mr. Chang has been incarcerated for almost six years. Following his trial, our team has worked tirelessly to ensure that Probation timely received everything requested, including making Mr. Chang available for his interview. Given the length of his incarceration compared to his offense conduct, we requested a prompt sentencing date following trial, which Your Honor graciously set for November 20, 2024.

Yesterday, Probation requested the parties' position regarding an adjournment of Mr. Chang's sentencing date by sixty days. Within minutes, we noted that we strenuously objected and that Mr. Chang was entitled to a prompt sentencing date. We noted that we had fully complied with all outstanding requests and as such we did not understand the basis for this request. The government noted that it needed time to consider its position—which it never provided, at least to us.

We just learned this morning that the reason for the request by Probation is that the government has failed in entirety to provide Probation with even a single document, thereby preventing Probation from completing its offense conduct section of the presentencing report. It is unclear whether the government's abdication of this responsibility was malicious or grossly negligent. From our perspective, this conduct is shocking and was likely aimed at ensuring that Mr. Chang spend at least another two months' imprisoned in the MDC (and over the holidays), so that he passes the six-year mark.

We request that Your Honor order the government to: (1) immediately produce all records requested by Probation; (2) file a letter on docket so the Court and defense counsel will know that the government has actually complied with Probation's requests; (3) fully cooperate and promptly respond with any further requests by Probation so that Mr. Chang's sentencing

hearing can occur at the earliest possible date; and (4) provide this Court with an explanation as to how this failure occurred.

Respectfully submitted,

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cc: All Counsel of Record (via ECF)